

1 HUB LAW OFFICES  
Ford Greene, Esquire  
2 California State Bar No. 107601  
711 Sir Francis Drake Boulevard  
3 San Anselmo, California 94960-1949  
Telephone: (415) 258-0360

4 PAUL MORANTZ, ESQ.  
5 P.O. Box 511  
Pacific Palisades, CA 90272  
6 (213) 459-4745

7 Attorney for Defendant  
GERALD ARMSTRONG  
8  
9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 IN AND FOR THE COUNTY OF LOS ANGELES  
12

13 CHURCH OF SCIENTOLOGY )  
14 INTERNATIONAL, a California )  
not-for-profit religious )  
15 corporation; )  
16 Plaintiffs, )  
17 vs. )  
18 GERALD ARMSTRONG; DOES 1 )  
through 25, inclusive, )  
19 Defendants. )  
20 )

No. BC 052395  
NOTICE OF EX PARTE APPLICATION  
AND EX PARTE APPLICATION TO  
CONTINUE HEARING DATE ON  
DEMURRER, MOTION TO STRIKE,  
AND STATUS CONFERENCE;  
DECLARATION OF FORD GREENE;  
[PROPOSED] ORDER

DATE: December 9, 1992  
TIME: 8:30 a.m.  
DEPT: 30

NO TRIAL DATE  
NO DISCOVERY CUT OFF  
NO MOTION CUT OFF

21 \_\_\_\_\_ )  
AND RELATED CROSS-COMPLAINT )  
22 \_\_\_\_\_ )  
23 \_\_\_\_\_ )

24 TO DEFENDANT CHURCH OF SCIENTOLOGY INTERNATIONAL AND ITS  
ATTORNEYS OF RECORD:

25 PLEASE TAKE NOTICE that on December 9, 1992, at 8:30 a.m. or  
26 as soon thereafter as the matter may be heard in Department 30 of  
27 the above-entitled Court, defendant Gerald Armstrong will submit  
28 his ex parte application to continue the hearing date of December

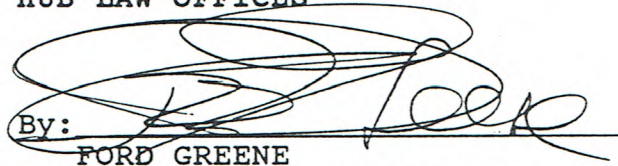
1 15, 1992 for determination of defendant's demurrer, motion to  
2 strike and for status conference.

3 This ex parte application is predicated upon the fact that  
4 Ford Greene, author of defendant's oppositions to Scientology's  
5 motions, and trial counsel herein, has a conflict on December 15,  
6 1992 and upon Local Rule 261 et. seq. and California Rules of  
7 Court Rule 379.

8 This ex parte application is based upon this notice, the  
9 attached declaration of Ford Greene, the court's files and records  
10 in this case and upon such further and additional matter as  
11 presented to the Court.

12 DATED: December 7, 1992

HUB LAW OFFICES

13  
14 

15 By: FORD GREENE  
16 Attorney for Defendant

17 DECLARATION OF FORD GREENE

18 FORD GREENE declares:

19 1. I am an attorney licensed to practice law in the Courts  
20 of the State of California and am the attorney of record for  
21 GERALD ARMSTRONG, defendant herein.

22 2. On the Court's own motion the pending hearing on  
23 plaintiff's demurrer to Armstrong's amended answer and on  
24 plaintiff's motion to strike Armstrong's first amended complaint  
25 and the status conference herein was continued from November 30,  
26 1992 to December 15, 1992.

27 3. On or about December 1, 1992, I advised Sandy, clerk of  
28 the Court, that I have a conflict insofar as I must appear for a

1 status conference in another California Superior Court on December  
2 15, 1992. <sup>1/</sup>

3 Sandy advised me that December 22, 1992 would be available as an  
4 alternate date for said proceedings.

5 4. On or about December 2, 1992, I spoke on the telephone  
6 with Laurie Bartilson, counsel for plaintiff, regarding my  
7 conflict. I advised her that I had a conflict on December 15,  
8 1992, and that the Court's clerk had advised me that we could  
9 proceed with December 15's matters on December 22. Ms. Bartilson  
10 stated she was not willing to do this because she had "other  
11 commitments." When she asked why the matters could not proceed on  
12 December 16, 17, or 18, 1992, I advised her that Armstrong's  
13 opening brief of the grant of a preliminary injunction in this  
14 litigation was due to be filed in the Court of Appeal on December  
15 18, 1992, and to proceed on either of those three dates would  
16 therefore create a hardship.

17 5. I am the attorney who has drafted Armstrong's opposition  
18 to the pending motion to strike and to the demurrer and have not  
19 yet appeared before Judge Horowitz. In light of the Court's prior  
20 grant of plaintiff's motion to strike Armstrong's original answer  
21 and cross-complaint, I believe that it is important that I  
22 personally appear before the Court on the pending matters.  
23 Therefore, it would not be appropriate for my co-counsel, Mr.  
24 Morantz to appear alone.

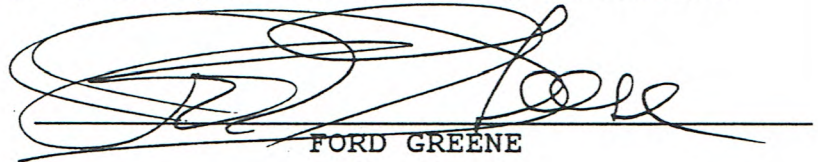
25  
26 <sup>1</sup> I will provide confirmation of this upon the Court's  
27 request, however, due to past efforts by the Scientology  
28 organization to sabotage my ongoing cases, I decline to publicly  
disclose such information because to do so will interfere with  
another client's constitutional right to legal representation.

1           6.    Based upon the foregoing, it is Armstrong's request that  
2 the matters present set for December 15, 1992 be re-set for any  
3 time from December 21, 1992 on.

4           7.    On December 8, 1992, before 12 noon I will have given  
5 oral and written notice of the herein ex parte application to  
6 Laurie Bartilson, counsel for plaintiff.

7           Under penalty of perjury pursuant to the laws of the State of  
8 California I hereby declare that the foregoing is true and correct  
9 according to my first-hand knowledge, except those matters stated  
10 to be on information and belief, and as to those matters, I  
11 believe them to be true.

12           Executed on December 7, 1992, at San Anselmo, California

13   
14 \_\_\_\_\_  
15 FORD GREENE

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 HUB LAW OFFICES  
Ford Greene, Esquire  
2 California State Bar No. 107601  
711 Sir Francis Drake Boulevard  
3 San Anselmo, California 94960-1949  
Telephone: (415) 258-0360

4 PAUL MORANTZ, ESQ.  
5 P.O. Box 511  
Pacific Palisades, CA 90272  
6 (213) 459-4745

7 Attorney for Defendant  
GERALD ARMSTRONG

8

9

10

SUPERIOR COURT OF THE STATE OF CALIFORNIA

11

IN AND FOR THE COUNTY OF LOS ANGELES

12

13

CHURCH OF SCIENTOLOGY )  
14 INTERNATIONAL, a California )  
not-for-profit religious )  
15 corporation; )

No. BC 052395

[PROPOSED] ORDER ON  
EX PARTE APPLICATION

16

Plaintiffs, )

17

vs. )

18

GERALD ARMSTRONG; DOES 1 )  
through 25, inclusive, )

DATE: December 9, 1992

19

TIME: 8:30 a.m.

Defendants. )

DEPT: 30

20

21

AND RELATED CROSS-COMPLAINT )

NO TRIAL DATE

NO DISCOVERY CUT OFF

NO MOTION CUT OFF

22

23

Having read and considered the ex parte application of  
24 defendant Gerald Armstrong and the papers submitted in opposition  
25 thereto, IT IS HEREBY ORDERED that the proceedings herein  
26 presently set for December 15, 1992, at 8:30 a.m. shall be vacated  
27 and re-set for \_\_\_\_\_, at \_\_\_\_\_.

28

1 DATED:

2

\_\_\_\_\_  
Judge of the Superior Court

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28